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FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUL 28 2025

SEAN F. MCAVOY, CLERK
, DEPUTY
YAKIMA, WASHINGTON

7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF WASHINGTON

9 UNITED STATES OF AMERICA,

Case No.: 1:24-CR-02054-MKD

10 Plaintiff,

Plea Agreement

11 v.

12 KATHLEEN ARDITH ALBERT,

13 Defendant.

14 Plaintiff United States of America, by and through Stephanie Van Marter,
15 Acting United States Attorney for the Eastern District of Washington, and Bree R.
16 Black Horse, Assistant United States Attorney for the Eastern District of
17 Washington, and Defendant KATHLEEN ARDITH ALBERT (“Defendant”), both
18 individually and by and through Defendant’s counsel, Stephen Hormel and Michael
19 Merritt, agree to the following Plea Agreement.

20 1. Guilty Plea and Maximum Statutory Penalties

21 The Defendant agrees to enter a plea of guilty to Count 1 of the Indictment
22 filed on August 13, 2024, which charges the Defendant with Aiding and Abetting
23 Assault with a Dangerous Weapon, in violation of 18 U.S.C. §§ 113(a)(3), 1153(a)
24 and 2, a Class C felony.

1 The Defendant understands that the following potential penalties apply to
2 Aiding and Abetting Assault with a Dangerous Weapon, in violation of 18 U.S.C.
3 §§ 113(a)(3), 1153(a) and 2:

- a. a term of imprisonment of not more than ten (10) years;
- b. a term of supervised release of up to three (3) years;
- c. a fine of up to \$250,000;
- d. restitution; and,
- e. a \$100 special penalty assessment.

2. Supervised Release

10 The Defendant understands that if the Defendant violates any condition of the
11 Defendant's supervised release, the Court may revoke the Defendant's term of
12 supervised release, and require the Defendant to serve in prison all or part of the term
13 of supervised release authorized by statute for the offense that resulted in such term
14 of supervised release without credit for time previously served on post release
15 supervision, up to the following terms:

- a. 5 years in prison if the offense that resulted in the term of Supervised Release is a class A felony,
- b. 3 years in prison if the offense that resulted in the term of Supervised Release is a class B felony, and/or
- c. 2 years in prison if the offense that resulted in the term of Supervised Release is a class C felony.

Accordingly, the Defendant understands that if the Defendant commits one or more violations of supervised release, the Defendant could serve a total term of incarceration greater than the maximum sentence authorized by statute for the Defendant's offense or offenses of conviction.

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28 PLEA AGREEMENT - 2

1 3. The Court is Not a Party to this Plea Agreement

2 The Court is not a party to this Plea Agreement and may accept or reject it.

3 The Defendant acknowledges that no promises of any type have been made to the
4 Defendant with respect to the sentence the Court will impose in this matter.

5 The Defendant understands the following:

- 6 a. sentencing is a matter solely within the discretion of the Court;
- 7 b. the Court is under no obligation to accept any recommendations
8 made by the United States or the Defendant;
- 9 c. the Court will obtain an independent report and sentencing
10 recommendation from the United States Probation Office;
- 11 d. the Court may exercise its discretion to impose any sentence it
12 deems appropriate, up to the statutory maximum penalties;
- 13 e. the Court is required to consider the applicable range set forth in
14 the United States Sentencing Guidelines, but may depart upward
15 or downward under certain circumstances; and
- 16 f. the Court may reject recommendations made by the United
17 States or Defendant, and that will not be a basis for Defendant to
18 withdraw from this Plea Agreement or Defendant's guilty plea.

19 4. Potential Immigration Consequences of Guilty Plea

20 If the Defendant is not a citizen of the United States, the Defendant
21 understands the following:

- 22 a. pleading guilty in this case may have immigration consequences;
- 23 b. a broad range of federal crimes may result in the Defendant's
24 removal from the United States, including the offense to which
25 the Defendant is pleading guilty;
- 26 c. removal from the United States and other immigration
27 consequences are the subject of separate proceedings; and

1 d. no one, including Defendant's attorney or the Court, can predict
2 with absolute certainty the effect of a federal conviction on the
3 Defendant's immigration status.

4 The Defendant affirms that the Defendant is knowingly, intelligently, and
5 voluntarily pleading guilty as set forth in this Plea Agreement, regardless of any
6 immigration consequences that the Defendant's guilty plea may entail.

7 5. Waiver of Constitutional Rights

8 The Defendant understands that by entering this guilty plea, the Defendant is
9 knowingly and voluntarily waiving certain constitutional rights, including the
10 following:

11 a. the right to a jury trial;
12 b. the right to see, hear and question the witnesses;
13 c. the right to remain silent at trial;
14 d. the right to testify at trial; and
15 e. the right to compel witnesses to testify.

16 Although the Defendant is waiving certain constitutional rights, the Defendant
17 understands that the Defendant retains the right to be assisted by an attorney through
18 the sentencing proceedings in this case and any direct appeal of the Defendant's
19 conviction and sentence, and that an attorney will be appointed at no cost if the
20 Defendant cannot afford to hire an attorney.

21 The Defendant understands and agrees that any defense motions currently
22 pending before the Court are mooted by this Plea Agreement, and the Defendant
23 expressly waives the Defendant's right to bring any additional pretrial motions.

24 6. Admissibility of Facts and Prior Statements

25 By signing this Plea Agreement, the Defendant admits the truth of the facts
26 set forth in the Factual Basis section of this Plea Agreement and agrees that these
27 facts, along with any written or oral statements the Defendant makes in court, shall

1 be deemed usable and admissible against Defendant in any subsequent legal
2 proceeding, including criminal trials and/or sentencing hearings, under Federal Rule
3 of Evidence 801(d)(2)(A).

4 The Defendant acknowledges, admits, and agrees that by signing this Plea
5 Agreement, the Defendant is expressly modifying and waiving the Defendant's
6 rights under Federal Rule of Criminal Procedure 11(f) and Federal Rule of Evidence
7 410 with regard to any facts Defendant admits and/or any statements the Defendant
8 makes in court.

9 7. Elements of the Offense

10 The United States and the Defendant agree that in order to convict the
11 Defendant of Aiding and Abetting Assault with a Dangerous Weapon, in violation
12 of 18 U.S.C. §§ 113(a)(3), 1153(a) and 2, the United States would have to prove the
13 following beyond a reasonable doubt:

- 14 a. *First*, on or about May 16, 2024, in the Eastern District of
15 Washington, within the exterior boundaries of the Yakama
16 Nation Indian Reservation, in Indian country, someone else
17 committed the offense of assault with a dangerous weapon;
- 18 b. *Second*, the Defendant aided, counseled, commanded, induced,
19 or procured that person with respect to at least one element of the
20 offense of assault with a dangerous weapon;
- 21 c. *Third*, the Defendant acted with the intent to facilitate the offense
22 of assault with a dangerous weapon; and,
- 23 d. *Fourth*, the Defendant acted before the offense of assault with a
24 dangerous weapon was completed.

25 8. Factual Basis and Statement of Facts

26 The United States and the Defendant stipulate and agree to the following: the
27 facts set forth below are accurate; the United States could prove these facts beyond
28

1 a reasonable doubt at trial; and these facts constitute an adequate factual basis for
2 the Defendant's guilty plea.

3 The United States and Defendant agree that this statement of facts does not
4 preclude either party from presenting and arguing, for sentencing purposes,
5 additional facts that are relevant to the Sentencing Guidelines computation or
6 sentencing.

7 The Defendant is an Indian. The Defendant is an enrolled member of the
8 Confederated Bands and Tribes of the Yakama Nation. The Defendant has some
9 quantum of Indian blood that is traceable to a member of a federally recognized tribe.

10 On the evening of May 16, 2024, the Defendant was in a room rented by Nora
11 Saluskin-Cloud at the El Corral Motel ("Motel") in Toppenish, Washington, which
12 is located in the Eastern District of Washington, within the exterior boundaries of
13 the Yakama Nation Indian Reservation, in Indian country. While in Ms. Saluskin-
14 Cloud's room at the Motel, Ms. Saluskin-Cloud told the Defendant to come down to
15 Room 1 on the ground floor of the Motel. When they reached the outside of Room
16 1, Ms. Saluskin-Cloud pulled out a gun and handed it to the Defendant who then put
17 the gun in her pocket. When the Defendant entered Room 1, the Defendant saw
18 seven or eight people lined up in an "L" shape, including D.A., I.M., N.R. and
19 I.W.W. The Defendant observed that these seven or eight people were in various
20 stages of undress.

21 While in Room 1 standing next to the Defendant and an unidentified female,
22 Ms. Saluskin-Cloud told the seven or eight people without their clothes on
23 something to the effect of "If you want to try anything I will cut two limbs then you
24 can walk free." Ms. Saluskin-Cloud was holding a machete in her hand when she
25 made this statement. Ms. Saluskin-Cloud then gave the machete to the unidentified
26 female and told her "If they do anything, cut off their limbs." The unidentified
27 female with the machete then told the seven or eight people without their clothes on

1 that "If they do anything, [she'll] cut off their limbs." The unidentified female
2 subsequently hit a chair with the machete. Ms. Saluskin-Cloud then instructed the
3 Defendant, who was still in the possession of the gun, to "watch" the seven or eight
4 people without their clothes on and "keep" them in Room 1. Ms. Saluskin-Cloud
5 further instructed the Defendant to "make sure they don't do anything." The
6 Defendant did what Ms. Saluskin-Cloud told her because she did not want to get
7 "punked out." Ms. Saluskin-Cloud subsequently left Room 1, leaving the Defendant
8 with the gun in her pocket, the unidentified female holding the machete, and the
9 seven or eight people without their clothes on.

10 After Ms. Saluskin-Cloud left Room 1, the Defendant sat in a chair close to
11 the unidentified female in front of the door, blocking the seven or eight people
12 without their clothes on from escaping the room. The unidentified female then
13 continued to instruct the seven or eight people without their clothes on "Don't move
14 or I'll hurt you." The Defendant then began smoking fentanyl while sitting in the
15 chair near the unidentified female in front of the door. A few moments later, D.A.
16 threw a microwave in the Defendant's direction, which hit the wall between the
17 Defendant and the unidentified female with the machete. D.A. and I.M. then escaped
18 Room 1 through the bathroom window. The Defendant told the remainder of the
19 people in Room 1 to get their clothes on and leave.

20 As the seven or eight people were leaving the room, Ms. Saluskin-Cloud came
21 back to the room, grabbed the gun back from the Defendant and chased the people.
22 Ms. Saluskin-Cloud ordered the Defendant to help her, but the Defendant refused.
23 The Defendant then went to a car a family member was driving in the vicinity of the
24 Motel. Ms. Saluskin-Cloud then entered the car unexpectedly while holding the gun
25 and ordered them to take her with them. The family member drove from the motel
26 back to the Defendant's residence. The Defendant entered her home and left Ms.
27 Saluskin-Cloud passed out in the car.

1 9. The United States' Agreements

2 The United States Attorney's Office for the Eastern District of Washington
3 agrees not to bring additional charges against Defendant based on information in its
4 possession at the time of this Plea Agreement that arise from conduct that is either
5 charged in the Indictment or identified in discovery produced in this case, unless
6 Defendant breaches this Plea Agreement before sentencing.

7 The United States agrees to dismiss Counts 2 and 3 of the Indictment at
8 sentencing.

9 10. United States Sentencing Guidelines Calculations

10 Defendant understands and acknowledges that the United States Sentencing
11 Guidelines ("U.S.S.G." or "Guidelines") apply and that the Court will determine
12 Defendant's advisory range at the time of sentencing, pursuant to the Guidelines.
13 The United States and Defendant agree to the following Guidelines calculations.

14 a. Base Offense Level

15 The United States and the Defendant agree that the base offense level for
16 Aiding and Abetting Assault with a Dangerous Weapon is 14. U.S.S.G. §2A2.2(a).

17 b. Special Offense Characteristics

18 The United States and the Defendant agree that the Defendant's base offense
19 level is increased by 3 levels because a dangerous weapon was brandished, or its use
20 was threatened. U.S.S.G. §2A2.2(b)(2)(C).

21 c. Acceptance of Responsibility

22 The United States will recommend that Defendant receive a downward
23 adjustment for acceptance of responsibility, pursuant to U.S.S.G. § 3E1.1(a), (b), if
24 Defendant does the following:

25 i. accepts this Plea Agreement;

26 ii. enters a guilty plea at the first Court hearing that takes
27 place after the United States offers this Plea Agreement;

- iii. demonstrates recognition and affirmative acceptance of Defendant's personal responsibility for Defendant's criminal conduct;
- iv. provides complete and accurate information during the sentencing process; and,
- v. does not commit any obstructive conduct.

7 The United States and Defendant agree that at its option and on written notice
8 to Defendant, the United States may elect not to recommend a reduction for
9 acceptance of responsibility if, prior to the imposition of sentence, Defendant is
10 charged with, or convicted of, any criminal offense, or if Defendant tests positive
11 for any controlled substance.

d. Agreements Regarding Representations to the Court

13 The United States has a duty of candor to the tribunal. If the United States
14 and Defendant do not agree on the appropriate length of incarceration, the
15 appropriate length or applicable terms of supervised release, and/or the correct
16 guidelines calculations, variances, departures, and/or enhancements, the United
17 States reserves the right to respond to any and all arguments made by Defendant, on
18 any bases the United States deems appropriate, at all stages of this criminal case.

Defendant may make any arguments it deems appropriate, at all stages of this criminal case.

With regard to all briefing, submissions, and hearings in this criminal case, the United States and Defendant agree to the following provisions:

- i. The United States and Defendant may each respond to any questions from the Court or United States Probation Office;
- ii. The United States and Defendant may each supplement the facts under consideration by the Court by providing

information the United States or Defendant deems relevant;

iii. The United States and Defendant may each present and argue any additional facts that the United States or Defendant believe are relevant to the Sentencing Guidelines computation or sentencing;

iv. The United States and Defendant may each present and argue information that may already be known to the Court, including information contained in the Presentence Investigation Report;

v. The United States and Defendant may each respond to any arguments presented by the other;

vi. In order to support the United States' sentencing recommendation as set forth herein, the United States may oppose and argue against any defense argument or any recommendation for any sentence lower than the sentence recommended by the United States on any basis, including arguments for a lower offense level, a lower criminal history calculation, the application or non-application of any sentencing enhancement or departure, and/or any variance from the Guidelines range as calculated by the Court;

vii. In order to support the defense sentencing recommendation as set forth herein, Defendant may oppose and argue against any argument by the United States, or any recommendation for any sentence higher than the sentence recommended by the defense on any

1 basis, including arguments for a higher offense level, a
2 higher criminal history calculation, the application or non-
3 application of any sentencing enhancement or departure,
4 and/or any variance from the Guidelines range as
5 calculated by the Court;

6 viii. The United States may make any sentencing arguments
7 the United States deems appropriate so long as they are
8 consistent with this Plea Agreement, including arguments
9 arising from Defendant's uncharged conduct, conduct set
10 forth in charges that will be dismissed pursuant to this Plea
11 Agreement, and Defendant's relevant conduct; and
12 ix. Defendant may make any sentencing arguments consistent
13 with this Plea Agreement Defendant deems appropriate.

14 e. No Other Agreements

15 The United States and Defendant have no other agreements regarding the
16 Guidelines or the application of any Guidelines enhancements, departures, or
17 variances.

18 f. Criminal History

19 The United States and Defendant have no agreement and make no
20 representations about Defendant's criminal history category, which will be
21 determined by the Court after the United States Probation Office prepares and
22 discloses a Presentence Investigative Report.

23 11. Incarceration

24 At the time of Defendant's original sentencing in the District Court, the United
25 States agrees to make a sentencing recommendation to the Court that is consistent
26 with this Plea Agreement. The United States' agreement to make such a
27 recommendation is limited exclusively to the time of Defendant's original

1 sentencing in the District Court. The United States' agreement to make such a
2 recommendation does not prohibit or limit in any way the United States' ability to
3 argue for or against any future sentencing modification that takes place after
4 Defendant's original sentencing in the District Court, whether that modification
5 consists of an amendment to the Guidelines, a change to a statutory minimum or
6 maximum sentence, any form of compassionate release, any violation of Supervised
7 Release, or any other modification that is known or unknown to the parties at the
8 time of Defendant's original criminal sentencing. In this Plea Agreement, the United
9 States makes no promises or representations about what positions the United States
10 will take or recommendations the United States will make in any proceeding that
11 occurs after Defendant's original sentencing in the District Court.

12 The United States and Defendant may each recommend any legal term of
13 incarceration.

14 12. Supervised Release

15 The United States and Defendant each agree to recommend three (3) years of
16 supervised release. Defendant agrees that the Court's decision regarding the
17 conditions of Defendant's Supervised Release is final and non-appealable; that is,
18 even if Defendant is unhappy with the conditions of Supervised Release ordered by
19 the Court, that will not be a basis for Defendant to withdraw Defendant's guilty plea,
20 withdraw from this Plea Agreement, or appeal Defendant's conviction, sentence, or
21 any term of Supervised Release.

22 The United States and Defendant agree to recommend that in addition to the
23 standard conditions of supervised release imposed in all cases in this District, the
24 Court should also impose the following conditions:

25 a. The United States Probation Officer may conduct, upon
26 reasonable suspicion, and with or without notice, a search of

1 Defendant's person, residences, offices, vehicles, belongings,
2 and areas under Defendant's exclusive or joint control.

3 b. Defendant shall participate and complete such drug testing and
4 drug treatment programs as the Probation Officer directs.

5 c. Defendant shall complete a mental health evaluation and follow
6 any treatment recommendations of the evaluating professional
7 that do not require forced or psychotropic medication and/or
8 inpatient confinement, absent further order of the Court.
9 Defendant shall allow reciprocal release of information between
10 the Probation Officer and the treatment provider. Defendant
11 shall contribute to the cost of treatment according to the
12 Defendant's ability.

13 13. Criminal Fine

14 The United States and Defendant may make any recommendation concerning
15 the imposition of a criminal fine. The Defendant acknowledges that the Court's
16 decision regarding a fine is final and non-appealable; that is, even if the Defendant
17 is unhappy with a fine ordered by the Court, that will not be a basis for the Defendant
18 to withdraw Defendant's guilty plea, withdraw from this Plea Agreement, or appeal
19 Defendant's conviction, sentence, or fine.

20 14. Mandatory Special Penalty Assessment

21 The Defendant agrees to pay the \$100.00 mandatory special penalty
22 assessment to the Clerk of Court for the Eastern District of Washington, pursuant to
23 18 U.S.C. § 3013.

24 15. Restitution

25 The United States and Defendant agree that restitution is appropriate and
26 mandatory, without regard to Defendant's economic situation, to identifiable victims

1 who have suffered physical injury or pecuniary loss, pursuant to 18 U.S.C. §§ 3663,
2 3663A, 3664.

3 Pursuant to 18 U.S.C. § 3663(a)(3), Defendant voluntarily agrees to pay
4 restitution for all losses caused by Defendant's individual conduct, in exchange for
5 the United States not bringing additional potential charges, regardless of whether
6 counts associated with such losses will be dismissed as part of this Plea Agreement.

7 With respect to restitution, the United States and Defendant agree to the following:

8 a. Restitution Amount and Interest

9 The United States and Defendant stipulate and agree that pursuant to 18
10 U.S.C. §§ 3663, 3663A and 3664, the Court should order restitution in an amount to
11 be determining at sentencing, and that any interest on this restitution amount, if any,
12 should be waived.

13 b. Payments

14 To the extent restitution is ordered, the United States and the Defendant agree
15 that the Court will set a restitution payment schedule based on the Defendant's
16 financial circumstances. 18 U.S.C. § 3664(f)(2), (3)(A). Regardless, the Defendant
17 agrees to pay not less than 10% of Defendant's net monthly income towards
18 restitution.

19 c. Treasury Offset Program and Collection

20 The Defendant understands the Treasury Offset Program ("TOP") collects
21 delinquent debts owed to federal agencies.

22 If applicable, the TOP may take part or all of Defendant's federal tax refund,
23 federal retirement benefits, or other federal benefits and apply these monies to
24 Defendant's restitution obligations. 26 U.S.C. § 6402(d); 31 U.S.C. § 3720A; 31
25 U.S.C. § 3716.

26 The Defendant understands that the United States may, notwithstanding the
27 Court-imposed payment schedule, pursue other avenues to ensure the restitution

1 obligation is satisfied, including, but not limited to, garnishment of available funds,
2 wages, or assets. 18 U.S.C. §§ 3572, 3613, and 3664(m).

3 Nothing in this acknowledgment shall be construed to limit Defendant's
4 ability to assert any specifically identified exemptions as provided by law, except as
5 set forth in this Plea Agreement.

6 Until the Defendant's fine and restitution obligations are paid in full,
7 Defendant agrees fully to disclose all assets in which Defendant has any interest or
8 over which Defendant exercises control, directly or indirectly, including those held
9 by a spouse, nominee or third party.

10 Until the Defendant's fine and restitution obligations are paid in full,
11 Defendant agrees to provide waivers, consents, or releases requested by the U.S.
12 Attorney's Office to access records to verify the financial information.

13 d. Obligations, Authorizations, and Notifications

14 Defendant agrees to truthfully complete the Financial Disclosure Statement
15 that will be provided by the earlier of 30 days from Defendant's signature on this
16 plea agreement or the date of Defendant's entry of a guilty plea, sign it under penalty
17 of perjury, and provide it to both the United States Attorney's Office and the United
18 States Probation Office. Defendant acknowledges and understands that Defendant's
19 failure to timely and accurately complete and sign the Financial Disclosure
20 Statement, and any update thereto, may, in addition to any other penalty or remedy,
21 constitute Defendant's failure to accept responsibility under U.S.S.G §3E1.1.

22 The Defendant expressly authorizes the United States Attorney's Office to
23 obtain a credit report on Defendant upon the signing of this Plea Agreement. Until
24 Defendant's fine and restitution orders are paid in full, Defendant agrees to provide
25 waivers, consents or releases requested by the United States Attorney's Office to
26 access records to verify the financial information.

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28 PLEA AGREEMENT - 15
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1 The Defendant agrees to notify the Financial Litigation Unit of the United
2 States Attorney's Office before Defendant transfers any interest in property with a
3 value exceeding \$1,000 owned directly or indirectly, individually or jointly, by
4 Defendant, including any interest held or owned under any name, including trusts,
5 partnerships and corporations. Further, pursuant to 18 U.S.C. § 3664(k), Defendant
6 shall notify the court and the United States Attorney's Office within a reasonable
7 period of time, but no later than within 10 days, of any material change in
8 Defendant's economic circumstances that might affect defendant's ability to pay
9 restitution, including, but not limited to, new or changed employment, increases in
10 income, inheritances, monetary gifts or any other acquisition of assets or money.

11 Until the Defendant's fine and restitution orders are paid in full, Defendant
12 agrees to disclose all assets in which Defendant has any interest or over which
13 Defendant exercises control, directly or indirectly, including those held by a spouse,
14 nominee or third party.

15 Pursuant to 18 U.S.C. § 3612(b)(F), Defendant understands and agrees that
16 until Defendant's fine and restitution orders are paid in full, Defendant must notify
17 the United States Attorney's Office of any change in the mailing address or residence
18 address within 30 days of the change.

19 16. Payments While Incarcerated

20 If Defendant lacks the financial resources to pay the monetary obligations
21 imposed by the Court, Defendant agrees to earn money toward these obligations by
22 participating in the Bureau of Prisons' Inmate Financial Responsibility Program.

23 17. Additional Violations of Law Can Void Plea Agreement

24 The United States and Defendant agree that the United States may, at its
25 option and upon written notice to the Defendant, withdraw from this Plea Agreement
26 or modify its sentencing recommendation if, prior to the imposition of sentence,

1 Defendant is charged with or convicted of any criminal offense or tests positive for
2 any controlled substance.

3 18. Waiver of Appeal Rights

4 Defendant understands that Defendant has a limited right to appeal or
5 challenge Defendant's conviction and the sentence imposed by the Court.

6 In return for the concessions that the United States has made in this Plea
7 Agreement, Defendant expressly waives all of Defendant's rights to appeal any
8 aspect of Defendant's conviction and/or the sentence the Court imposes, on any
9 grounds.

10 Defendant expressly waives Defendant's right to appeal any fine, term of
11 supervised release, or restitution order imposed by the Court.

12 Defendant expressly waives the right to file any post-conviction motion
13 attacking Defendant's conviction and sentence, including a motion pursuant to 28
14 U.S.C. § 2255, except one based on ineffective assistance of counsel arising from
15 information not now known by Defendant and which, in the exercise of due
16 diligence, Defendant could not know by the time the Court imposes sentence.

17 Nothing in this Plea Agreement shall preclude the United States from
18 opposing any post-conviction motion for a reduction of sentence or other attack upon
19 the conviction or sentence, including, but not limited to, writ of habeas corpus
20 proceedings brought pursuant to 28 U.S.C. § 2255.

21 19. Withdrawal or Vacatur of Defendant's Plea

22 Should Defendant successfully move to withdraw from this Plea Agreement
23 or should Defendant's conviction be set aside, vacated, reversed, or dismissed under
24 any circumstance, then:

25 a. Any obligations, commitments, or representations made by the
26 United States in this Plea Agreement shall become null and void;

- 1 b. The United States may prosecute Defendant on all available
- 2 charges;
- 3 c. The United States may reinstate any counts that have been
- 4 dismissed, have been superseded by the filing of another
- 5 charging instrument, or were not charged because of this Plea
- 6 Agreement; and
- 7 d. The United States may file any new charges that would otherwise
- 8 be barred by this Plea Agreement.

9 The decision to pursue any or all of these options is solely in the discretion of
10 the United States Attorney's Office.

11 Defendant agrees to waive any objections, motions, and/or defenses
12 Defendant might have to the United States' decisions to seek, reinstate, or reinitiate
13 charges if a count of conviction is withdrawn, set aside, vacated, reversed, or
14 dismissed, including any claim alleging a violation of Double Jeopardy.

15 Defendant agrees not to raise any objections based on the passage of time,
16 including but not limited to alleged violations of any statutes of limitation or any
17 objections based on the Speedy Trial Act or the Speedy Trial Clause of the Sixth
18 Amendment.

19 20. Integration Clause

20 The United States and Defendant acknowledge that this document constitutes
21 the entire Plea Agreement between the United States and Defendant, and no other
22 promises, agreements, or conditions exist between the United States and Defendant
23 concerning the resolution of the case.

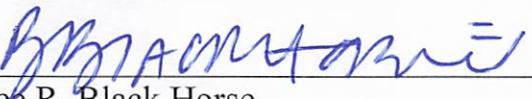
24 This Plea Agreement is binding only on the United States Attorney's Office
25 for the Eastern District of Washington, and cannot bind other federal, state, or local
26 authorities.

1 The United States and Defendant agree that this Agreement cannot be
2 modified except in a writing that is signed by the United States and Defendant.

3 Approvals and Signatures

4 Agreed and submitted on behalf of the United States Attorney's Office for
5 the Eastern District of Washington.

6 Stephanie Van Marter
7 Acting United States Attorney

8 
9 Bree R. Black Horse

7-29-25
Date

9 Assistant United States Attorney

10 I have read this Plea Agreement and I have carefully reviewed and discussed
11 every part of this Plea Agreement with my attorney. I understand the terms of this
12 Plea Agreement. I enter into this Plea Agreement knowingly, intelligently, and
13 voluntarily. I have consulted with my attorney about my rights, I understand those
14 rights, and I am satisfied with the representation of my attorney in this case. No
15 other promises or inducements have been made to me, other than those contained in
16 this Plea Agreement. No one has threatened or forced me in any way to enter into
17 this Plea Agreement. I agree to plead guilty because I am guilty.
18

19 
20 Kathleen Ardith Albert
Defendant

7-28-25
Date

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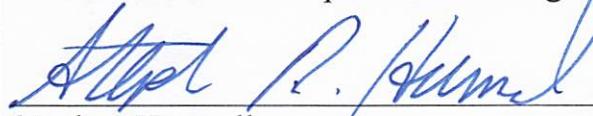
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28 PLEA AGREEMENT - 19
Case No.: 1:24-CR-02054-MKD

1 I have read the Plea Agreement and have discussed the contents of the
2 agreement with my client. The Plea Agreement accurately and completely sets forth
3 the entirety of the agreement between the parties. I concur in my client's decision
4 to plead guilty as set forth in the Plea Agreement. There is no legal reason why the
5 Court should not accept Defendant's guilty plea.

6 
7 Stephen Hormell

7/28/2025
Date

8 Michael Merritt
9 Attorneys for Defendant

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